

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

CASE NO. 1:03CR05410-001 LJO

Plaintiff,

ORDER ON DEFENDANT'S STAY OF
EXECUTION OF SENTENCE OR
MODIFICATION OF CONDITIONS OF
PROBATION

v.

VICTOR VEVEA,

Defendant.

The Court has received and reviewed the above-referenced alternative motions. The Court has further conferred with the Defendant's probation officer responsible for this case. He has confirmed that there has been substantial compliance by the Defendant during this first two years and two months of the three-year probation term.

The Court disagrees that there has been a "strained relationship" between the defendant and the Court. The Court does, however, agree that there have been numerous occasions during the pendency of this case where the defendant had to be instructed in unmistakably direct language to stop filing duplicitous motions and/or arguing the same matters that had been heard and ruled upon previously, and/or filing motions when the case was on appeal (and filed without the permission of the Ninth Circuit Court of Appeals). The point of the direct language had two goals:

1) to obtain compliance with rules, laws and court orders;

2) to allow this Court to handle it's more than 1300 other cases.

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1 The Court denies the motion for stay, but grants substantive modifications of probation
2 conditions as follows:

- 3 1. The defendant may use computers, including the Internet, for any BUSINESS
4 purpose. Personal use is still prohibited during the pendency of the probation term;
- 5 2. The defendant may affiliate with people with criminal backgrounds, as long as it
6 is in the context of a verifiable BUSINESS purpose.
- 7 3. The personal computer/s of the defendant may be monitored at any time to assure
8 compliance;
- 9 4. The business computers used by the defendant may only be monitored for good
10 cause, and pursuant to a Court Order;
- 11 5. Contact with victim Kilpatrick and/or his law firm may only be maintained during
12 verifiable BUSINESS purposes.

13 This order is issued pursuant to the authority of 18 USC 3563.
14

15 IT IS SO ORDERED.

16 **Dated: May 24, 2010**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE